

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

400S0216

HOUSE BILL NO. 1007

Introduced by: The Committee on Appropriations at the request of the Board of Regents

1 FOR AN ACT ENTITLED, An Act to authorize the South Dakota Building Authority to issue
2 revenue bonds to provide for maintenance and repair on facilities controlled by the Board
3 of Regents and to provide appropriations therefor.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. It is in the public interest that the South Dakota Building Authority contract for
6 the construction, completion, furnishing, equipping, and maintaining of, including heating, air
7 conditioning, plumbing, water, sewer, electric facilities, sidewalks, parking, landscaping,
8 architectural and engineering services, and such other services or actions as may be required,
9 to address deferred maintenance and repair of facilities under the control of the Board of
10 Regents, at the estimated cost of thirteen million two hundred thirty-three thousand eight
11 hundred dollars (\$13,233,800). The South Dakota Building Authority may finance up to thirteen
12 million two hundred thirty-three thousand eight hundred dollars (\$13,233,800) of the
13 construction costs through the issuance of revenue bonds, in accordance with this Act and
14 chapter 5-12.

15 Section 2. All cost estimates contained in this Act have been stated in terms of 2010 values.



1 The Building Authority, at the request of the Board of Regents, may adjust such cost estimates
2 to reflect inflation as measured by the Building Cost Index reported by the Engineering News
3 Record, additional expenditures required to comply with regulations adopted after the effective
4 date of this Act, or grants or donations received pursuant to section 4 of this Act. However, such
5 adjustments to cost estimates may not exceed one hundred twenty-five percent of the estimated
6 project cost stated in section 1 of this Act.

7 Section 3. Expenditure authority may be increased based on the receipt of grants or
8 donations received pursuant to this Act. However, no adjustment to any cost estimate may
9 exceed one hundred twenty-five percent of the authorized expenditure authority stated in section
10 2 of this Act.

11 Section 4. The Building Authority and the Board of Regents may accept, transfer, and
12 expend any property or funds obtained for these purposes from federal sources, gifts,
13 contributions, or any other source, all of which shall comprise a special fund for the benefitted
14 project and all moneys deposited into that fund are hereby appropriated to the projects
15 authorized by this Act in addition to the amounts otherwise authorized by this Act.

16 Section 5. No indebtedness, bond, or obligation incurred or created under the authority of
17 this Act may be or may become a lien, charge, or liability against the State of South Dakota, nor
18 against the property or funds of the State of South Dakota within the meaning of the
19 Constitution or statutes of the state.

20 Section 6. The Board of Regents may make and enter into a lease agreement with the
21 Building Authority and make rental payments under the terms thereof, pursuant to chapter 5-12,
22 from the higher education facilities fund for the purposes of this Act.

23 Section 7. The design and construction of the facility authorized in this Act shall be under
24 the general supervision of the Bureau of Administration as provided in chapter 5-14. The

1 commissioner of the Bureau of Administration and the executive director of the Board of
2 Regents shall approve vouchers and the state auditor shall draw warrants to pay expenditures
3 authorized by this Act.